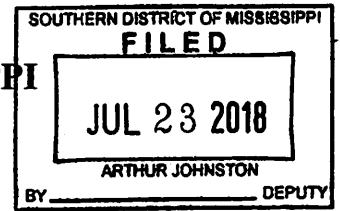


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**



DOUGLAS HANDSHOE

v.

CIVIL ACTION NO. 1:15cv382-HSO-JCG

VAUGHN PERRET, CHARLES LEARY &
DANIEL ABEL, D/B/A/ TROUT POINT
LODGE LTD OF NOVA SCOTIA & IN
THEIR INDIVIDUAL CAPACITIES
PROGRESS MEDIA GROUP LIMITED,
MARILYN SMULDERS, & ASHOKA

**RESPONSE IN OPPOSITION TO DEFENDANT LEARY'S
MOTION FOR RECONSIDERATION (ECF# 267)**

Plaintiff Douglas Handshoe respectfully submits this response in opposition to Defendant Charles Leary's Motion for Reconsideration (ECF# 267) and he will show that Mr. Leary's Motion should be denied.

Mr. Leary's Motion should be denied because he insists on mail service to a drop box thousands of miles from his actual location, Girona, Girona Spain where Mr. Leary is currently evading service of process on potential execution on a Federal Court Judgment in another matter thus he is largely the creator of his international mail issues. Plaintiff's certificate of service and Federal Rules indicate service is complete upon mailing. Further Mr. Leary's claims appeared to have morphed from accusing the Plaintiff of not mailing a Court filing to admitting

recent of one two the filings to which he complained, albeit being a postmark which indicated a five-day delay in posting¹.

In an effort to both avoid this kind of dilatory bickering Plaintiff has proactively began emailing a courtesy copy of his court filings to foodvacation@gmail.com (*see* Certificate of Service). While it is within Mr. Leary's purview to accept only mail service in this matter, such a proactive step does alleviate the PACER charges Mr. Leary has previously complained to the Court he is incurring. These PACER charges overwhelmingly result from Mr. Leary opting for 14-day first class international mail service to a drop box, thousands of miles away from his actual location in Europe in this civil matter, which greatly delays his receipt of filings in this matter.

Additionally, while not the subject of Mr. Leary's Motion for Reconsideration, Plaintiff consents to extending the deadline for Mr. Leary's opposition to his Motion to Dismiss (ECF# 259) by five days, which is the amount of time delay that was incurred to have the large envelope which contained the documents returned to also carry a customs form for documents utilizing first-class international post. Mr. Leary's opposition would still be filed out of time even with the five-day extension, perhaps such being the reason Mr. Leary is proverbially

¹ See ECF# 268, bates page 2, last paragraph, "Now Leary can show that a Certificate of Service signed by Handshoe was false."

pounding the table with his fist instead of with facts in a futile effort to delay the resolution of this litigation.

Attached to this Response in Opposition as Exhibit 1 is a recent email chain, which shows Plaintiff is actively trying to work with Mr. Leary to resolve this matter so this wasting of the Court's time can be averted.

These matters are more fully discussed in the accompanying Memorandum that is contemporaneously filed with this Opposition.

Respectfully submitted this 23rd day of July, 2018,



Plaintiff
Douglas Handshoe
Post Office Box 788
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Wiggins, MS 39577
(601) 928-5380
earning04@gmail.com

CERTIFICATE OF SERVICE

I, Douglas Handshoe, hereby certify that on July 23, 2018 the foregoing was sent for electronically filing by me via the Clerk of the Court using the ECF system which sent notification to all counsel of record upon filing by the Clerk.

I, Douglas Handshoe, hereby certify that on July 23, 2018, I mailed the foregoing to Charles Leary at 308 5th Ave E, Vancouver, BC V5T 1H4 Canada with a courtesy copy to foodvacation@gmail.com.

Respectfully submitted this 23rd day of July, 2018,



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